



**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, OMAHA DISTRICT  
1616 CAPITOL AVENUE  
OMAHA NE 68102-4901

CENWO-OD

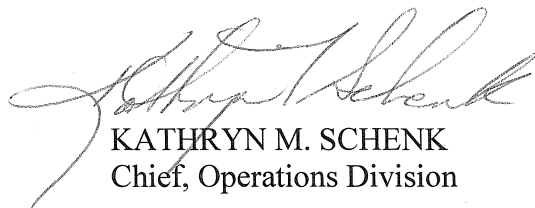
7 December 2001

MEMORANDUM FOR Operations Project Managers and Natural Resource Management Chiefs

SUBJECT: District Contributions Plan

1. The contributions program was authorized by Section 203 of the Water Resources Development Act of 1992. It permits the Corps to accept contributions from groups and individuals in connection with carrying out water resources projects for environmental protection and restoration or for recreation. Attached is the signed Contributions Plan that will be used within Omaha District Operations.
2. This Contributions Plan provides a formal document that describes in general terms the categories or types of work that have been identified in the Master Plan or Operational Management Plan that are eligible for being accomplished under the authority of the Corps' Contributions Program. This plan allows the acceptance of donations from the public as well as grants from other agencies, neither of which we have been able to do in the past.
3. If you have any questions, please contact Jeannine Nauss at (402) 995-2496 or [jeannine.m.nauss@usace.army.mil](mailto:jeannine.m.nauss@usace.army.mil).

Encl



KATHRYN M. SCHENK  
Chief, Operations Division

MEMORANDUM FOR Operation Project Managers and Natural Resource Management Chiefs, Omaha District, Corps of Engineers

Subject: Legal Sufficiency of "Contribution Plan"

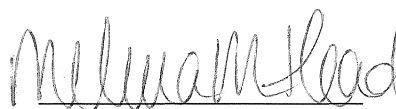
1. Office of Counsel has no legal objections to the proposed action.
2. 33 USC 2325 states that in connection with carrying out a water resources project for environmental protection and restoration or a water resources project for recreation, the Secretary is authorized to accept contributions of cash, funds, materials, and services from persons, including governmental entities but excluding the project sponsor. Any cash or funds received by the Secretary under this section shall be deposited into the account in the Treasury of the United States entitled "Contributions and Advances, Rivers and Harbors, Corps of Engineers (8862)" and shall be available until expended to carry out water resources projects allowed.

33 USC 2328 states that the Secretary is authorized to develop and implement a program to share the cost of managing recreation facilities and natural resources at water resource development projects under the Secretary's jurisdiction. To implement the program under this section, the Secretary is authorized to enter into cooperative agreements with non-Federal public and private entities to provide for operation and management of recreation facilities and natural resources at civil works projects under the Secretary's jurisdiction where such facilities and resources are being maintained at complete Federal expense. For purposes of carrying out this section the Secretary may accept contributions of funds, materials, and services from non-Federal public and private entities.

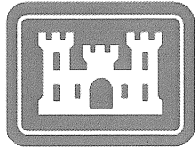
The process for the collection and handling of these contributions is outlined in the contribution plan and in more detail as part of Appendix A of said plan. This process is authorized through the two code sections above and ER 1130-2-500, Chapters 11 & 12.

3. In conclusion, the collection of donations as outlined in this contribution plan is legally allowed.

AUTHORITY LINE:



Melissa M Head  
Assistant District Counsel



**US Army Corps  
of Engineers®**

# **CONTRIBUTION PLAN**

## **FOR**

### **OMAHA DISTRICT**

A means of accepting gifts or donations and referred to as the Contributions Program for use at water resources projects/lakes regarding recreation, environmental protection, and restoration.

Prepared: October, 2011  
CONTRIBUTION PLAN FOR OMAHA DISTRICT

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## **I. INTRODUCTION**

The Corps Contribution Program permits the Corps to accept monetary or material contributions from groups and individuals in connection with carrying out water resource projects (hereinafter referred to as "Projects") for recreation or for environmental protection and restoration. Whether in the form of cash, materials or services, contributions have the potential to result in the sharing of project operational costs and to enhance the ability of the Project staff to better manage existing facilities in the public interest. In this respect, contributions (includes accepting grants) have the potential to enable the Operations Division to fund some programs and/or projects that, as a result of reprioritizations, either have been deferred or delayed because of reduced Operational and Management (O&M) funds. Contributions offered will be consistent with Project Master Plans (MP) or Operational Management Plans (OMP) and will be carefully screened and evaluated for their suitability. No project or task will be initiated that is not in concert with the guidance and policy on the Corps Contributions Program.

## **II. PURPOSE**

This Contribution Plan is a mechanism for the Projects to receive funds or materials from outside sources to complete tasks that are described in the MP or OMP. It does not preclude Projects from developing their own more specific or tailored plan. Contributions can be used to accomplish tasks or projects for the protection, improvement, restoration, rehabilitation or interpretation of natural resources, environmental features, cultural resources, or recreation areas and facilities at water resource Projects.

The essential purpose of this plan is to provide a formal document that describes, in general terms, the categories or types of work that have been identified in Project MP and OMP's that are eligible under the authority of the Corps Contributions Program.

In conjunction with describing the general nature or categories of work to be accomplished, this plan will also address the general procedures and methods for receiving and accounting for monetary contributions. Methods for providing recognition to contributors and acknowledging public support are included with examples.

## **III. AUTHORITY**

Authority to Accept Contributions: 33 USC § 2325 and 2328 authorizes the Corps to accept contributions in connection with carrying out a project for environmental protection and restoration or for recreation. Additionally, 33 USC 569c authorizes the acceptance of the services of volunteers. The term "contribution" includes anything of value (funds, materials, supplies or in-kind goods or services) received from an outside source without consideration or an exchange of value. Funds or other items received as a

result of a competitively awarded grant from a foundation are also considered a “contribution.”

## **IV. DONORS**

**Acceptable Donors:** The Corps may accept contributions from individuals, organizations, foundations, governmental entities, corporations and businesses. Contributions may be accepted only for programs and activities contained in an approved MP or OMP. If a Federal grant is involved, a note or letter from the granting agency is needed stating the money is acceptable to use on Corps property.

**Prohibited Donors:** Contributions from a project sponsor may not be accepted. This includes the party with whom the water resource project has been jointly created, a party to a project cooperation agreement (PCA), or project partnership agreement. Real estate cannot be accepted as a contribution. For information on whether a particular donation should be accepted or for further information on authorities and constraints see ER 1130-2-500, Chapter 11.

Contributions from an entity which holds or is seeking a concessions contract or which would identify the Corps with alcohol or tobacco products shall be declined.

**No Solicitation of Contributions:** Corps employees may not solicit or take any action that gives the appearance that they are soliciting contributions in support of Corps programs or activities. The term “solicit” means any request made to a non-Federal entity, group or individual for contributions to be made directly or indirectly to the Corps. There are, however, appropriate activities that Corps employees may undertake in relation to authorized fundraising by partners. Corps employees can negotiate with partners in the context of a partnership agreement and partners can then fundraise to generate their contribution to the partnership.

**Lobbying:** Employees shall not engage in lobbying activities.

**Ethical Considerations:** Corps employees are subject to ethics regulations which prohibit Federal employees from giving preferential treatment to any entity or individual. Employees may not use their official title, position or authority of their public office to endorse any product, service or enterprise.

## **V. REVIEW AND APPROVAL**

Before receiving a contribution other than from a contribution box, OPMs or the District Contributions Coordinator must consider all relevant factors when determining whether to accept a donation, including the value and purposes of the donation, as well as the nature and interests of the donor. Contributions which are within current authorities, consistent with the Corps mission, and are for work items contained in an approved MP

or OMP may be accepted. Only contributions for projects and programs that will not cause a significant net increase in O&M costs shall be considered for approval.

Monetary contributions will be accounted for in accordance with memo dated 21 May 2008, Subject: Collection of Civil Works Appropriation Reimbursements. All non-monetary contributions must be recorded, accounted for, and managed in the same way as other Corps property. The value of the donated materials and equipment should be determined using the local market value of comparable items.

Once it has been determined that a contribution can be accepted, they must be evaluated as follows. For each higher donation category, all of the procedures for the previous levels must also be performed.

A. For contributions less than \$2,500, the level of review required to accept is much less than for a higher value donation. The OPM must, under all circumstances, maintain the public confidence in the integrity of the Corps. Before accepting, using, or recognizing direct contributions, a manager must consider the following factors:

Maintain the integrity of the Corps programs and operations

- i. The donation is not, or does not appear (by its size or circumstances) to be an attempt to influence any significant Corps decision or action that would affect the donor's interests, or obtain special treatment in dealing with the Corps.
- ii. The donation and any conditions or restrictions on it are consistent with law, regulation, Corps policy, authorized project purposes or applicable project plans.
- iii. The donation will not be used by the donor to state or imply Corps endorsement of the donor or the donor's product, service or enterprise.

Maintain public confidence in the Corps and its programs and employees

- i. Acceptance would not likely result in public controversy (e.g., whether an Internet search reveals the donor has a public history of violations, criminal or civil in nature).
- ii. The donation comes only with conditions that are consistent with Corps program and policy goals.
- iii. The donation consists of only goods or services needed by the Corps.
- iv. The donor has no known involvement in litigation or other current disputes with the Corps.

B. For any contribution valued at \$2,500 or more, the OPM must perform a thorough Internet search to determine whether publicly available information exists that raises concerns about the propriety of acceptance. Documentation of the search findings shall be included in the required contribution file described in Section VII.

C. For contributions offered and valued at \$100,000 or above coordination is required with the NWO Natural Resource Management Section Contribution Coordinator before acceptance can be allowed. A written summary by the OPM or the appointed District Contribution Coordinator shall be submitted for coordination with NWO Office

of Counsel. In addition to the documented internet search (described in paragraph B), the following questions must be answered.

1. Is the donor involved in litigation or other disputes with the Corps?
2. Is the donor currently engaged in or seeking a business relationship with the Corps?
3. Has the donor been debarred or suspended from contracting with the Federal Government?
4. Does the donor have a recent public history of violations, whether criminal or civil in nature, as disclosed by an Internet search, for which acceptance of the donation could lead to public controversy?
5. Is the donor regulated by or is seeking a permit from the Corps?

D. For a single contribution or a series of planned contributions (i.e. a pledge paid in installments by the same donor) valued at \$1 million or more, the contribution and support documentation described above must be reviewed by the NWO Office of Counsel and submitted through the MSC to the HQ Natural Resource Management Office for coordination before subsequent referral to the Director of Civil Works for approval. This process must also be followed for contributions that raise significant concerns based on criteria identified in the above sections.

## **VI. PROGRAM ADMINISTRATION**

In accordance with ER 1130-2-500, responsibility for program management at each of the NWO Projects has been delegated to the Operations Project Managers (OPM) for that Project. The Chief, Natural Resource Management Section, shall serve or appoint staff to coordinate and oversee the entire District Contribution Program.

The Operations Project Manager shall serve or appoint a member of their staff to lead up a contribution effort ensuring procedures and policies are adhered using the "Contributions, Fundraising and Recognition Reference Guide," ER and EP 1130-2-500 Chapters 10,11 and 12. The District Office Contribution Coordinator will be contacted and input sought prior to accepting a contribution. A file is to be assembled for each contribution (except those received in a general Contributions Box) that includes name of contributor, type and description of contribution, amount of contribution, any correspondence, and any notes.

Monetary contributions (the accounting piece) can be handled like a customer order with advance. See the attached SOP (Appendix A).

A. General Work Projects: Revenue collected from a contributor at a Project that is not designated by the contributor for a specific work project will be transferred to the Resource Management Office in the Omaha District Office (RMO) for deposit. A specific CEFMS account (i.e. funded work item) will be established for contributions received at the Project. The Operations Project Manager or their designated



representative will be responsible for coordinating the establishment of the CEFMS account with Resource Management. Once deposited, these funds will become immediately available to the Project and will only be used for the general work activities listed in this plan.

B. Specific Work Projects or Earmarked Contributions: The procedures for deposition such monetary contributions are the same as for general contributions, except that a separate CEFMS account (funded work item) will be established for such contributions. Contributions “earmarked” or designated for a specific work item or project will be administered separately from the general contributions account. All such project specific or “earmarked” contributions will only be accepted for implementing work and accomplishing projects that are consistent with the MP and/or OMP and this plan.

**Use of Contributions:** Contributions may be used to support projects addressed in the MP/OMP or interpretive programs. In addition, contributions may be made to fund salaries of term or temporary Corps employees. Contributions **may not be used** for permanent employee salaries.

Contributions may not be used to begin construction or other projects or programs, **unless** there are sufficient appropriated and donated funds in hand to ensure completion of the work to a degree that has independent utility. Donated funds may, however, be used to advance project design work.

**Process:**

See attached SOP (Appendix A)

**Non-Monetary Donations:** Materials and supplies may be accepted. Coordination with Property/Supply staff in Logistics Management at Project and District Office level shall occur prior to acceptance to help determine if an item(s) needs identified as capital and included in an inventory. Cost and items received will need to be reported in OMBIL under Agreements.

**Contribution Boxes:** A contribution or donation box may be set up at field offices, visitor centers and other appropriate locations. The installation of a contributions box is optional and at the manager’s discretion. The contribution box should be locked and have a sign stating the use of the contributions. It should be clear to the visitor that any money collected is a voluntary contribution and is not required for touring the visitor center, receiving brochures or pamphlets or any other services. (Note: Funds donated to contributions boxes placed by cooperative associations, operated in accordance with EP 1130-2-500 and the cooperative agreement, are not subject to this process. The association is responsible for tracking and reporting all funds donated to the association.)

Funds received from Corps contribution boxes must be accounted for in the same manner as any other donation. (See attached SOP)

Any activity or task under \$25,000 can be completed using the work item associated with the Contribution box.

Accepting Direct or Large Donations: A patron or organization may want to donate to a park though not want to put a check or large amount of cash in the Contribution box. In this case, the Authorized Recreation Fee Collector may receive these funds at their office. A receipt must be given and the Collector must make it plain to the patron that receiving this Contribution is in lieu of placing it in the Contribution box. A standard receipt book is appropriate to use for this purpose. A note should be written stating the purpose of the Contribution.

Reporting: Each Project office that receives contributions must submit an annual report of the total amount of contributions via the Operations and Maintenance Business Information Link (OMBIL). See Appendix B for contribution tracking record keeping sheet.

Deposits, Form, Reports: Engineering Report 3313 (remittance register) should be used to report monthly contributions of when they exceed \$1,000. If \$1,000 or more, a deposit is required. A weekly deposit is recommended if funds begin to come in on a regular basis. A monthly report will be maintained at the Omaha District Operations Office.

Asset Work Item: For projects valued over \$25,000 (labor and equipment included), Project budget staff needs to be informed this is an asset work item. This new item will be considered an “asset” and must have a separate work item to complete the task.

## VII. POTENTIAL PROJECTS

Contributions will be used to accomplish tasks or projects for the protection, improvement, restoration, rehabilitation or interpretation of natural resources, environmental features, recreation areas and facilities or cultural resources at the Projects.

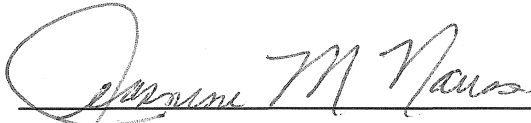
The following list, **while not comprehensive**, provides some generalizations of the general types of projects that are typically identified in a Project MP and/or OMP.

<b>General Category</b>	<b>Specific Work Examples</b>
Recreation	Install playground facilities
	Install/upgrade ADA facilities
	Install/replace boat docks
	Install signs and markers
	Repairs to facilities
Interpretive Program	Rehabilitation of exhibits
	Produce/install interpretive signage
	Develop nature trails
	Develop hiking/biking trails
Stewardship	Control noxious weed
	Establish food plots
	Perform wildlife management habitat studies
	Develop/enhance GIS Database
	Plant trees and shrubs

## **VIII. RECOGNITION OF CONTRIBUTORS**

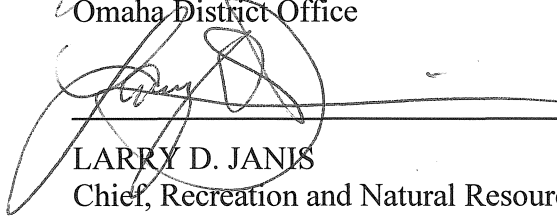
Projects can acknowledge appreciation to contributors via letters or certificates of appreciation, news releases, photo opportunities, ribbon cutting ceremonies, plaque or other appropriate means consistent with the mission and goals of the Corps and the standards of ethical conduct.

APPROVALS



JEANNINE M. NAUSS  
District NRM Contributions Program Manager  
Omaha District Office

11/14/11  
Date



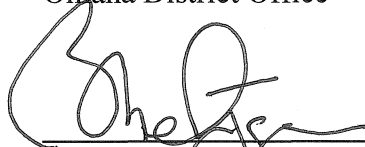
LARRY D. JANIS  
Chief, Recreation and Natural Resource Management Branch  
Omaha District Office

11/16/11  
Date



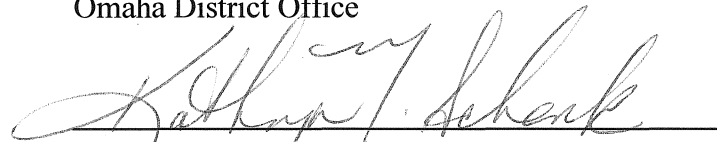
RICHARD G. TOTTON  
Attorney, Office of Counsel  
Omaha District Office

02 DEC 11  
Date



RONALD D. METZGER  
Chief, Resource Management Branch  
Omaha District Office

12-6-11  
Date



KATHRYN M. SCHENK, P.E.  
Chief, Operations Division  
Omaha District Office

12/7/11  
Date

## APPENDIX A

### STANDARD OPERATING PROCEDURE RECEIVING CONTRIBUTED FUNDS

Contributed funds were authorized by Section 203 of the Water Resources Development Act of 1992. Guidance for acceptance of contributions is provided in EP 1130-2-500, Chapters 11 & 12, which allow contributions from groups and individuals in connection with carrying out water resources projects for environmental protection and restoration, as well as recreation. Monetary contributions will be deposited into account 96x8862 of the U.S. Treasury according to the requirements outlined in ER 37-2-10, Chapter 4.

**1. Alternative 1** - Have check sent directly to the USACE Finance Center, CEFC-FD-C (G6), 5722 Integrity Drive, Millington, TN 38054-5005, payable to Finance and Accounting Officer (F&AO), USAED, Omaha.

a. Request F&A Branch create a Debtor Identification code and an advance account number. The Point of Contact is Mike Clark, 402-995-2900, Preston Pfeifer, 402-995-2902, F&A Branch.

b. Request sponsor include the Engineer Reporting Organization Code (EROCC) (Omaha G6), Debtor Identification Code and advance account number on the check before submission to the USACE Finance Center. Notify the Points of Contact in Operations Division, Finance and Accounting Branch and the USACE Finance Center that the request for contributed funds has been made from the sponsor.

c. The USACE Finance Center, upon receipt of the contributed funds check from the sponsor, will create a Collection Voucher (CV). The Finance Center, Disbursing Section Point of Contact is Shirley Pierce, 901-874-8530.

**2. Alternative 2** - Have check sent to the district office payable to F&AO, USAED, Omaha.

a. Field Office will email the F&A Branch, Civil Unit (Mike Clark, Preston Pfeifer) with purpose statement for the use of the funds.

b. F&A Branch will set up a customer order advance account to appropriation # 8862 and the provide field office with an advance account number and a debtor identification code.

c. F&A Branch will process a Collection for Self in CEFMS and write the ROV number, date of the ROV and the location number (EROCC G6) on the check. On Screen 2.99.3 the appropriation symbol and name should read 96NAX8862 River and Harbor Contributed Funds. The Management Structure should be 099990. Point of Contacts, Mike Clark, 402-995-2900, Preston Pfeifer, 402-995-2902

d. Mail check to the USACE Finance Center, CEFC-FC-D (M2), 5722 Integrity Dr., Millington, TN 38054-5005.

**3.** The USACE Finance Center must certify the collection, send the check for deposit and confirm that the deposit has been made. Point of Contact, Disbursing Section, Shirley Pierce, 901-874-8530.

4. Once deposit has been confirmed by the USACE Finance Center, then Budget Branch creates a Customer Order with a linked work item under the parent project work item and a resource plan. Create a WBS using 8862 funding. Use the appropriation information from the ROV, fund type F (funded reimbursement), Dept NA, Approp. Symbol ALLO. Note: the appropriation on the resource plan and customer order must match, or funding account certifiers cannot be assigned. Point of Contact, Teresa Wieczorek 402-995-2474.

5. Budget Branch must enter a customer order. Someone at the project office will be required to technically approve the Customer Order. Press Ctrl-F1, Ctrl-F3, Ctrl-F4 to reach screen 2.13.7. Enter the work item number, then go to screen 2.13.8 and technically approve. The Point of Contact is, Stacey Courtney, Budget Branch, 402-995-2901.

6. Assign Purchase Request and Commitment (PR&C) originators, approvers and certifiers. Purchase Requests and Commitments may now be issued off the account. Note that some Operations and Maintenance (O&M) work category codes may need to be activated by headquarters for contributed funds. The Point of Contact is Mike Clark, F&A, 402-995-2900 or Preston Pfeifer, 402-995-2902.

7. Contributed funds are not currently subject to 2101 Schedule and End of Year (EOY) closeout. The Point of Contact is Teresa Wieczorek, Operations Division, 402-995-2474.

## APPENDIX B

### Contribution Tracking & Record Keeping

Contributions must be entered into OMBIL. This form will aid in keeping track of all contributions until OMBIL entry is performed.

Date	Cash Received	Material(s) Received	Item Description	Source